

Pipeline training draws 50

Local officials learn from safety trust expert

By Steve Moseley Managing Editor
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YORK - York City Auditorium was the site for a pipeline zoning training meeting Friday.

More than 50 people representing several Nebraska counties and cities were in attendance, including York County commissioners Jake Sikes and Paul Buller. Mitch Doht, York County highway superintendent and zoning administrator was present as was Paul Toms from the York City Council.

Two national experts addressed the crowd: Carl Weimer, executive director of the Pipeline Safety Trust, and Paul Blackburn, a pipeline consultant attorney.

Weimer carefully went through a list of legal do's and don'ts regarding the powers for counties and municipalities, and stressed the importance of proper zoning for major oil pipelines even though he said, "Chance of a disaster is small, but the consequence of a disaster is huge!"

"The state of Nebraska is behind," Weimer said, in pipeline regulations. That is why the local governing bodies must diligently look into all of the options open to them to provide for the safety of their citizens, property and resources. Weimer pointed out that although pipeline safety is generally a federal issue, the counties can enact regulations regarding road crossing, setbacks, sensitive areas, emergency response plans and even agricultural soil removal procedures.

Blackburn went into detail to inform the county and city officials of what exactly would be transported through the pipe, primarily Diluted Bitumen, a combination consisting of two-thirds Bitumen (tar-sands) and one-third diluents made up primarily of a liquid natural gas product.

Blackburn said the pipe temperature could go up to 150 degrees and the pressure up to 1400 pounds per square inch, causing a rupture to blast the DilBit up to 400 feet in the air. Blackburn estimates a worse case scenario for the Keystone XL in Nebraska to be perhaps a 1.5 million gallon spill before the pipe could be completely shut down.

"Where in Nebraska is the spill response equipment?" asked Blackburn. He said TransCanada owns very little spill response equipment in Nebraska and must rely on spill contractors. Blackburn questioned whether Nebraska has the necessary equipment in place to respond adequately to a major spill, adding that, "Spill response plans must be exposed and made available by pipeline companies."

Dan Holub, a county commissioner from Marion County, Kan., dealt with TransCanada on the Keystone 1 pipeline. He took a few moments to share his experiences with the crowd. "Marion County made TransCanada



News-Times/Steve Moseley - Cameras roll and the crowd listens intently as Carl Weimer, executive director of the Pipeline Safety Trust, speaks Friday at the York City Auditorium.

bore under the county roads instead of slicing through them.” Holub said, as removing and replacing the road beds would interfere with the integrity of the roads.

Holub urged officials to get their pipeline regulations in place before a presidential permit is signed, as doing so after would prove to be difficult. He ended his presentation by saying, “Get all agreements in writing. TransCanada has a bad memory.”

[Brian Jorde](#) then addressed the group. Jorde has been active in the Keystone XL process working with landowners to help them attain proper and comprehensive land easements. He said counties need to first think about their roads, making sure all costs of repairing damage by pipeline equipment not fall on the taxpayer, but the company responsible for the damage.

Jorde also cautioned counties and cities to get agreements in writing, but take it a step further and ensure the “writings” are carefully constructed and reviewed by proper legal counsel.

Most importantly, Jorde emphasized the need for counties to adopt “Major Oil Pipeline” ordinances that address a variety of issues such as filing requirements, both before and after construction, impacts to local roads, right-of-way agreements, and of course emergency response plans.

Jorde also said he would never advise a landowner to sign an easement that didn’t account for removal of the pipeline after its useful life was over, inferring counties should look into doing the same.

The York meeting was coordinated by the organization Bold Nebraska that has actively opposed the Keystone XL. Friday’s session, however, was designed to be neither pro nor anti pipeline, but rather to inform county and city officials on what they legally can and cannot do to best provide for the safety and welfare of people, property and resources within their jurisdictions.